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March 26, 2019

By ECF

Honorable Alison J. Nathan
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Michael Siva, et. al.,
Including **JHONATAN ZOQUIER**,
17 Cr. 503 (AJN)

Dear Judge Nathan:

I am the attorney for Jhonatan Zoquier, the defendant in the above-referenced case. On March 7, 2019, the Court sentenced Mr. Zoquier to three months in a community corrections center and one year of supervised release. He has to surrender to his designated community corrections center before 2:00 p.m. on April 3, 2019, an earlier date than is usually required, per Mr. Zoquier's request.

However, yesterday, Mr. Zoquier learned from his supervising pretrial services officer in the District of New Jersey, Daniel Milne, that Probation's internal system shows that Mr. Zoquier has been designated to the Metropolitan Detention Center ("MDC") and must surrender to the MDC by April 3, 2019. Believing this was an error, my office conferred with U.S. Probation Officer Ross Kapitansky who confirmed that Mr. Zoquier has been designated to the MDC. He further stated that the error likely occurred as a result of the language in the Judgment, which states that Mr. Zoquier "is committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of: 3 months." Although the Court stated in its recommendation that Mr. Zoquier should serve his time in a community corrections center, Officer Kapitansky further informed me that the Bureau of Prisons does not recognize community correction centers as a term of imprisonment, and because the

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Judgment provides for a sentence to three months' imprisonment, the Bureau of Prisons must designate Mr. Zoquier to a prison facility.

For these reasons, it is respectfully requested that the Court amend its Judgment to state that Mr. Zoquier is sentenced to time served with one year of supervised release, and that as a condition of his supervised release, he must serve three months in a community corrections center. It is my understanding, based on conversations with Officer Kapitansky, that the proposed language would permit the Bureau of Prisons to designate Mr. Zoquier to a community corrections center. I have reached out to the Bureau of Prisons for further guidance on the issue but have not yet been able to speak with anyone.

Additionally, in a previous application to the Court, counsel indicated that Community Corrections Center #4 ("CCC #4"), located at 1628-1630 North 15th Street, Philadelphia, PA 19121, appears to be the closest facility to Mr. Zoquier's family's home. (*See* ECF No. 156). It is further respectfully requested that the Court include in its recommendation that Mr. Zoquier be designated to CCC #4, or in the alternative, a facility that is closest to the North Philadelphia area, where Mr. Zoquier's family resides.

Finally, Mr. Zoquier chose to voluntarily surrender on April 3, 2019. However, in the event that he has not been designated to a community corrections center by that date, it is respectfully requested that he be permitted additional time to surrender until a community corrections center has been designated.

Please contact my office if the Court has any questions regarding this application.

The Court's time and attention to this matter is appreciated.

Respectfully submitted,

/ s /

Jeremy Schneider, Esq.

cc: all counsel (by ECF)